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Firm: U. S. Patent and Trademark Office
Fax #: 571-273-8300
From: Ronald J. Kubovcik (Registration No. 25,401)
Date: January 16, 2009
Pages : 6 including this cover sheet.

Re : Appl. No. : 10/540,624
Applicant : Masato HONMA et al.
Filed : June 24, 2005
TC/A.U. : 4174
Examiner : Gerard T. Higgins
Dkt. No. : IPE-057
Cust. No. : 20374

Confirmation No. 7137

Document transmitted herewith:

1. NOTICE OF APPEAL
2. PETITION FOR EXTENSION OF TIME
3. PTO-2038 for \$670.00

(Due: January 16, 2009)

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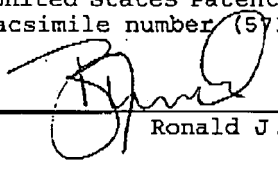
JAN 16 2009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/540,624 Confirmation No. 7137
Applicant : Masato HONMA et al.
Filed : June 24, 2005
TC/A.U. : 1794
Examiner : Gerard T. Higgins
Dkt. No. : IPE-057
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I hereby certify that this paper is being
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to facsimile number (571)273-8300.


Ronald J. Kubovcik

NOTICE OF APPEAL

Mail Stop AF

To: Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

January 16, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated September 16, 2008, of the Primary Examiner finally rejecting claims 1-3, 5-13, 16, 17, 19 and 20.

The items checked below are appropriate:

P:\01-09\ipe-057-pto-noa-eot vpd

01/22/2009 VBUI11 00000016 10540624

01 FC:1401

540.00 OP

U.S. Patent Appln. S.N. 10/540,624
NOTICE OF APPEAL

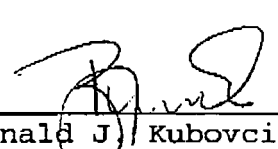
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PATENT

JAN 16 2009

1. XX A petition for an extension of time to respond to the final rejection is being filed concurrently filed, for one month.
2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. XX Fee \$ 540.00 or ___ Small Entity \$255.00
XX Enclosed (as part of PTO-2038 for \$670.00)
___ Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.



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